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For the attention of: Mr E. Cheseldine – Case Officer
Kirklees Council

[By email: DC.Admin@kirklees.gov.uk]

30 April 2025

Dear Mr Cheseldine

Re: Application 2025/61/90838/E

Reserved matters application pursuant to outline permission 2024/92066 for erection of one dwelling at Land Adj. 264 Barnsley Road, Flockton, Huddersfield, WF4 4AJ

Thank you for your notification of 14 April 2025 seeking the views of the Coal Authority (operating as the Mining Remediation Authority) on the above application.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority response:

The application site falls within the Development High Risk Area. Our information indicates that the site lies in an area where historic unrecorded underground coal mining is likely to have taken place at shallow depth. In addition, our records indicate that the potential zone of influence of an off-site mine entry (shaft, CA ref, 424415-023) may encroach marginally into the western part of the site.

You will recall that the Coal Authority's Planning & Development Team ultimately withdrew its objection to the original outline planning application 2024/92066 for the dwelling at the site, which also sought approval of the layout of development and access. In our response

letter, we noted that the supporting CMRA was able to conclude that the recorded mine shaft should not affect the stability of the proposed dwelling. However, in terms of coal mining, it indicated that the shallow Joan Coal seam could pose a risk of instability at the site and recommended that the matter should be assessed further by means of a borehole investigation. As such, we requested the impositions of conditions to secure these further works and any resulting remedial and/or mitigatory measures deemed necessary.

We note that the applicant has now applied for approval of reserved matters details relating to the appearance, landscaping and scale of the development. The Coal Authority's Planning & Development Team has **no specific comments** to make regarding these reserved matters details. The implications posed by coal mining features to the layout of development was satisfactorily addressed at the time of the outline application.

We understand that the current application is also accompanied by a Rotary Drilling report (March 2025, prepared by MDJA), presumably submitted for consideration by the LPA in the context of Condition 8 of the issued outline consent, which states:

8. *No above ground development shall commence until;*
- a) a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity; and*
 - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.*
- The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.*

The submitted report indicates that three rotary boreholes were drilled within the site to a maximum depth of 25.0m bgl in order to investigate the shallow coal mining situation. It advises that an intact coal seam of c.0.7m thickness, considered to be the Joan Coal, was encountered at depth of between 5.0m and 5.2m depth in all three boreholes, with no evidence of mine workings recorded. Opencast workings were not encountered.

Whilst the boreholes were not drilled within the footprint of the proposed dwelling, the report concludes that *'the risk of the Joan Coal having been extracted below the proposed property is considered very low. Whilst workings cannot be entirely precluded, there is no evidence to suggest that such workings are present. In the unlikely event they are present, only 0.3m of the seam was of any commercial value. This would provide a 10:1 rock cover to extraction thickness, such that any subsidence is unlikely to extend to the underside of the foundations.'* It goes on to advise, *'As a precautionary measure, it is recommended that the footings are lightly reinforced.'*

Based on the information submitted and the professional opinions contained therein and subject to the implementation of the recommended mitigatory measures within the development, the Coal Authority's Planning & Development Team would consider the requirements of Condition 8 of the issued consent to have been satisfactorily addressed, in terms of coal mining legacy related land instability matters,

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely

James Smith

James Smith *BSc (Hons), Dip.URP, MRTPI*
Planning and Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.

In formulating this response the Coal Authority has taken full account of the professional conclusions reached by the competent person who has prepared the Coal Mining Risk Assessment or other similar report. In the event that any future claim for liability arises in relation to this development the Coal Authority will take full account of the views, conclusions and mitigation previously expressed by the professional advisors for this development in relation to ground conditions and the acceptability of development.